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PATENT

Docket No. 31611-5A

CERTIFICATE OF FACSIMILE

I hereby certify that this paper is being transmitted via facsimile via
1-571-273-8300 and addressed to: Mail Stop Amendment,
Commissioner for Patents; P.O. Box 1450; Alexandria, VA
22313-1450 on May 12, 2006.

*Bonnie S. Dale***IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Applicant: Gudmundur Johannsson et al : Paper No.:
Serial No.: 10/808,696 : Group Art Unit: 1654
Filed: March 25, 2004 : Examiner: Abdel A. Mohamed
For: **Methods for Treating a Patient Having Metabolic Syndrome**

TRANSMITTAL FOR TERMINAL DISCLAIMER

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Submitted herewith is a Terminal Disclaimer which disclaims the terminal part of the statutory term of any patent issuing on the present application which would extend beyond the expiration date of the full statutory term, as presently shortened by any terminal disclaimer, of U.S. Patent No. 6,846,800 B2. This Terminal Disclaimer is submitted in response to a telephone discussion between the Examiner and the undersigned in which the Examiner indicated that an obviousness-type double patenting rejection of at least one claim of the present application would be forthcoming based on U.S. Patent No. 6,846,800 B2. While Applicants traverse the basis for any obviousness-type double patenting rejection based on U.S. Patent No. 6,846,800 B2, the present Terminal Disclaimer is submitted in order to expedite prosecution. The filing of a Terminal Disclaimer simply serves the statutory function of removing a rejection of double patenting and raises neither presumption nor

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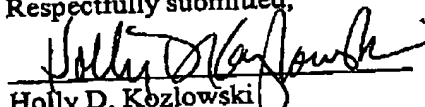
Application Serial No. 10/808,696
Terminal Disclaimer filed May 11, 2006

estoppel on the merits of the rejection, *Quad Environmental Technologies v. Union Sanitary District*, 20 U.S.P.Q. 2d 1392 (Fed. Cir. 1991).

It is believed the present application is now in condition for allowance.

Reconsideration and an early allowance are requested.

Respectfully submitted,



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